

D E C R E E

of 8th June 2009,

Amending Decree No. 645/2004 Coll. implementing some provisions of the Act on Archives and Records Management and on the amendment to some other acts

The Ministry of the Interior shall lay down, pursuant to Section 86 of Act No. 499/2004 Coll. on archives and records management and on the amendment to some other acts as amended by Act No. 190/2009 Coll. to implement Section 19, Section 20 (5), Section 24 (3), Section 36, and Section 40 (4) of the Act the following:

Section 1

Manner of Maintaining Basic, Secondary and Central Registers of the National Archival Heritage

(1) Basic registers of the National Archival Heritage shall be under all circumstances maintained as hard copies. **In addition, they may be maintained digitally in an electronic system.**

(2) **Secondary registers of the National Archival Heritage shall be maintained digitally. Archives maintaining secondary registers shall convert the data from their basic registers of the National Archival Heritage delivered as hard copies into the digital form.**

(3) Central registers of the National Archival Heritage shall be under all circumstances maintained digitally.

(4) Basic registers shall be updated on an ongoing basis unless stipulated otherwise hereunder. Secondary registers and central registers shall be updated once a year in compliance with the date referred to in Section 9.

(5) **Basic registers of archival records stored independently of cultural and/or scientific institutions and archives shall be updated once a year always no later than on 15 January of the following calendar year.**

Section 2

Changes in Registers of the National Archival Heritage in Situations Where Archival Records are transferred to Another Place

(1) **An application for the approval of merging archival fonds or an archival collections (hereinafter referred to as an “archival collection”) or a proposal for adopting a decision on merging an archival collection and its placement pursuant to Section 18a (2) of the Act addressed to the Ministry shall encompass, for the purposes of**

updating central registers, duplicates of register cards of the National Archival Heritage (hereinafter referred to as “register cards”); these shall include records of delimited archival records and a detailed description of archival records to be transferred expressed in register units and footage; a list of archival records concerned shall be enclosed with arranged archival records included in the taking of inventory.

(2) Archival records transferred between archives or cultural and/or scientific institutions maintaining basic registers for the purpose of permanent storage (hereinafter referred to as “delimitation”) shall be included, by the archives or cultural and/or scientific institution where such archival records are being delimited, in their basic registers and the archives or a cultural and/or scientific institution where the archival records were stored until their delimitation shall delete them from their archival records.

(3) If delimited archival records are maintained in secondary registers the archives or a cultural and/or scientific institution transferring such archival records shall report relevant information to the National Archives, or to the competent regional state archives in whose secondary registers the archival records are registered.

(4) If maintenance of secondary registers of delimited archival records is transferred to any other archives, the archives that maintained such archival records before their delimitation in the secondary registers shall, for the purposes of updating secondary registers, notify the archives that will become responsible for maintaining secondary registers of this fact.

(5) If the exception pursuant to Section 82 (1) is not permitted the forwarding archives or cultural and/or scientific institution shall notify the Ministry about such delimitation for the purposes of updating central registers to the Ministry.

Section 3

Register of Wastage and Acquisitions of Archival Records

(1) Register of acquisitions and wastages of archival records shall be broken down to register of external acquisitions and wastages of archival records (hereinafter referred to as an “external change”) and register of internal acquisitions and wastages of archival records (hereinafter referred to as an “internal change”) which have occurred within the archival collection.

(2) An external change shall register any changes which have occurred within archival records of the relevant archival collection, in the relationship between the archives or a cultural and/or scientific institution which maintains such archival records in the basic registers, and any other natural person or legal entity (for example the agency, owner, other archives, or another cultural and/or scientific institution).

(3) An internal change shall register any changes which have occurred within archival records of the relevant archival collection inside the archives or cultural and/or scientific institution which maintains such archival records in their basic registers (for example in relation to archives processing, in reassessing importance of archival records, or destruction of archival records).

(4) As regards basic registers of cultural and /or scientific institutions and archival records stored independently of archives and cultural and /or scientific institutions wastages and acquisitions shall be registered only on register cards within the scope referred to in Section 6 (3) (s).

Section 4

Register of External Changes

(1) Register of external changes maintained as hard copies are stored in firmly bound books. Each record of any external change shall always encompass the following:

- a) the number of archives, as listed in the code book of archives and cultural and /or scientific institutions maintained by the Ministry (hereinafter referred to as the “register of archives”) which maintains archival records in the basic registers of the National Archival Heritage;
- b) the number of the external change which is unique and unchangeable in the relevant archives;
- c) the number of a register card of an archival collection to which the external changes relates;
- d) the date of the external change;
- e) reasons for the external change (for example wastages of delimitations of the whole archival collection, acquisitions to the existing archival collection) and the type of an external change as regards any acquisition (for example within the appraisal process or outside of the appraisal process, a gift);
- f) the reference number of the archival records describing an external change;
- g) the data of an agency of the record with regard to an acquisition, and if it was obtained within delimitation the data shall be included within the scope stipulated by Section 18 (3) of the Act;
- h) the data on a forwarding natural person or legal entity if such a party is not the same as the creator of the archival records under Section (3) of the Act;
- i) a time span of archival records involved in an external change giving a floor and ceiling time limit of archival records, a lower time limit prior and upper time limit post; individual data shall be marked whether time limits are only estimations;
- j) with regard to analogue archival records, the number of linear metres (hereinafter referred to as the “footage”) of archival records involved in an external change which is
 - 1. unarranged footage determined by the number of linear metres of unarranged archival records;
 - 2. arranged footage determined by the number of linear metres of arranged archival records;

3. inventory footage determined by the number of linear metres of archival records included in inventory;
 4. total footage which is the sum of arranged and unarranged footage; archival records included in inventory are always understood to be a subset of arranged archival records;
- k) the data on a register unit of an external change which shall be
1. the type of a register unit in compliance with Annex 1 to this Decree;
 2. the number of unarranged and arranged archival records and archival records included in inventory; and the total number of register units;
 3. the time span of archival records of a register unit according to the procedure referred to in letter i);
- l) the place where a newly acquired record is stored;
- m) the name of an archival collection in cases involving delimitation of the whole archival collection;
- n) the category under which the newly acquired archival records fall.

(2) If hard copies of external change records are printed from digital register, then such hard copies shall be printed once a year.

(3) Archives shall maintain records of external changes pursuant to paragraphs 1 and 2 in their basic registers of the National Archival Heritage unless they are basic registers of archival records stored independently of archives and cultural and/or scientific institutions.

Section 5

(1) Registers of internal changes maintained as hard copies are registered on register cards within the scope provided for in Section 6 (3) (s).

(2) In basic registers of archives maintained digitally internal changes are registered in separate registers, in particular changes pursuant to Section 17 (2) of the Act, changes ascertained within archival records inventory taking required by the Ministry pursuant to Section 44 (i) of the Act and changes arising from archival arrangement. Each register of any internal change shall always encompass the following:

- a) the number of the archives, as listed in the code book of archives, which maintains archival records in the basic registers;
- b) the number of the internal change which is unique and unchangeable in the relevant archives;
- c) the description of the nature of the internal change type (for example wastage of a part of the archival collection because it was destroyed, the change in the archival collection

when having been arranged) and the description of the internal change concerned (for example circumstances describing the destruction of records);

- d) the number of a register card of the archival collection relating to the internal change in question;
- e) the date of an internal change;
- f) a time span of archival records involved in an internal change using the procedure referred to in Section 4 (1) (i);
- g) the number of footage of archival records involved in an internal change using the procedure referred to in Section 4 (1) (j);
- h) the reference number of the record describing an internal change, if applicable;

(3) Archives shall maintain registers of internal changes pursuant to paragraphs 1 and 2 in their basic registers unless they are basic registers of archival records stored independently of archives and cultural and/or scientific institutions.

Section 6

Register Cards of the National Archival Heritage

(1) All archival records shall be registered on register cards.

(2) Register cards maintained in basic registers as hard copies shall be signed by a person who produced the register cards and by the archives director or a statutory representative of a cultural and/or scientific institution. As regards archival records stored outside archives or cultural and/or scientific institutions these shall be signed by the owner or holder. If the owner or holder of registered archival records is a legal entity the signature of a natural person who is entitled to deal on behalf of the legal entity is required. With respect to archival records stored in archives or cultural and/or scientific institutions a register card shall be also furnished with the stamp of the archives or a cultural and/or scientific institution concerned.

(3) Each register card shall encompass the following:

- a) the number of an archives or a cultural and/or scientific institution, as listed in the register of archives, which maintains archival records in the basic registers; this number is not included as regards archival records referred to in letter b);
- b) the number of an archives or a cultural and/or scientific institution, as listed in the register of archives, under which records stored outside archives and cultural and/or scientific institutions are registered in the relevant archives;
- c) the data on owners or holders of records pursuant to Section 18 (3) of the Act, in the case of archival records stored outside archives and cultural and/or scientific institutions;

- d) the number of a register card which is unique and unchangeable in the relevant archives or cultural and/or scientific institution;
- e) the name of an archival collection;
- f) the registering status of an archival collection expressing the relation of the archives or cultural and/or scientific institution maintaining the archival collection in basic registers to registered archival records;
- g) a time span of archival records of the archival collection using the procedure referred to in Section 4 (1) (i);
- h) the date on which the relevant register card was filled in and signed or the date of the last change made on the register card;
- i) the category of archival records in the archival collection;
- j) the data on the availability of the archival collection for looking up information pursuant to Sections 34 and 37 and Section 38 (1) to (3) of the Act;
- k) footage of the archival collection using the procedure referred to in Section 4)1) (j);
- l) the condition of the archival collection indicating completeness, physical condition and in the case of any damage to the archival collections also the nature of such damage;
- m) the number of a group of thematic registers and thematic description of the archival collection where groups of thematic registers shall mean general, superior terms with regard to their meaning summarising common features of a certain type of archival collections;
- n) the place of creation and the place of storage of an archival collection;
- o) register units of the archival collection pursuant to Section 4 (1) (k);
- p) finding aids of the archival collection pursuant to Section 7 (2) (b), (f), (h) and (i);
- q) the data whether the archival collection contains any Archival Cultural Relic or the National Cultural Relic pursuant to Section 10 (4);
- r) the name of the agency of the archival collection in the original language, the previous or other name of the agency stating simultaneously the period during which the name was used as well as other data pursuant to Section 18 (3) of the Act;
- s) acquisitions and wastage of the archival collection where the following shall be stated:
 1. all external changes which, as a consequence, led to the changes in the described archival collection indicating the following: the number of the external change, the date of the external change and the reference number of the report on the external change;
 2. all internal changes indicating the following: the description of the internal change and the date of the internal change;

3. in the case if registers pursuant to Section 3 (4) there is a basic description of any acquisition or wastage in the scope as follows: the description of the nature of the internal change type or reasons for any external change, footage of acquisition or wastage pursuant to Section 4 (1) (j) and register units of acquisition or wastage pursuant to Section 4 (1) (k);
 4. the data on accepting an archival collection into the archives or cultural and/or scientific institutions if the previous data are not known;
- t) the data on the selection of archival records within the appraisal process or outside the appraisal process;
 - u) the data on archival records included in the archival collection, stored in other archives or other cultural and/or scientific institution or stored outside archives and cultural and/or scientific institutions;
 - v) the data on the literature on the archival collection dealing with the content and history of the archival collection and the book series from the archival collection;
 - w) information on measures pursuant to Sections 27 and 32 of the Act, in the case of archival collections which are not stored in any public archives;
 - x) the data pursuant to Section 18 (3) of the Act, the date on which archival records were deposited in the archives and the data on any restrictions regarding the access to the archival collection arising from the agreement on custody in the case of archival collections stored in any archives under the agreement on custody;
 - y) the data under Section 18 (3) of the Act and the date on which the agreement was entered into in the case of archival collections stored under the agreement outside any archives or a cultural and/or scientific institution maintaining records in their basic registers;
 - z) the date of delivery and the place of storage of the delivered archival collection and further data pursuant to Section 18 (3) of the Act in the case of archival collections physically delivered to owners;
 - aa) the data on the number of copies of archival records which guarantee, by their characteristic features and the manner of arrangement, the longest possible duration with regard to long-term storage (hereinafter referred to as “security copy”) and the number of copies determined for routine work;
 - bb) the name of the person who has produced the register card;
 - cc) the name of an operator of the record on the register card if it is preserved digitally;
 - dd) the number of an archival collection if such a number has been introduced for the relevant archival collection.

(4) Register cards kept as hard copies which are not prints of digital registers shall be filled in block letters or by using a typewriter so that also legibility of invalid data is maintained; if the recorded changes makes legibility of the register card difficult the register card in question shall be discarded and shall be replaced by a new one.

(5) Register cards kept as hard copies which are prints from digital registers shall be discarded and replaced by their current version in the case of any change made on the register card concerned.

(6) Discarded register cards kept as hard copies shall be nullified by crossing out the whole sheet of the form including the date on which such register cards were discarded and the signature of a person who produced a new register card.

(7) Discarded register cards kept as hard copies shall continue to be stored in the registry of any archives or a cultural and/or scientific institutions and are inserted in the files of archival fonds.

Section 7

Registers of Finding Aids

(1) Registers of finding aids maintained in basic registers shall be in the form of paper register cards encompassing the data pursuant to paragraph 2 (n), (f), (h) and (i).

(2) Registers of finding aids maintained digitally in basic, secondary and central registers of finding aids shall encompass:

- a) the number of the archives maintaining archival records described in the finding aid in its basic registers (hereinafter an “archives with an archival collection”);
- b) the register number of an finding aid from the archives holding the archival collection; this number is unique and unchangeable in the relevant archives;
- c) the name, or names, and surname of a natural person or a legal entity that administers or holds archival records in the case of the finding aid describing archival records stored outside archives or cultural and/or scientific institutions;
- d) the number of the archives which possesses a duplicate of a finding aid in its registers, in the case of the register of the finding aid duplicates;
- e) the unique register number of the finding aid duplicate from the archives that maintains such a duplicate in its registers in the case of the register of the finding aid duplicate;
- f) a type of a finding aid in accordance with Annex 2 hereto;
- g) the name of a finding aid;
- h) the time range of records described in the finding aid marking the period when records described in the finding aid were created;
- i) the year when a finding aid was created;
- j) the form of a finding aid creation;
- k) the data on amendments which do not bear the special name, introduction and printer’s imprint;

- l) the number of the group of a thematic register specifying archival records described in the finding aid;
- m) the name and surname of a person/s that produced the finding aid;
- n) the place where archival records described in the finding aid were created;
- o) the number of a register card or numbers of register cards registering archival records described in the finding aid.

(3) Finding aids replaced by finding aids with updated content are not part of basic registers and shall be enclosed in the file on the archival collection at the archives or cultural and/or scientific institutions maintaining the relevant archival collection in their basic registers.

Section 8

Dispatching and Registers of Duplicates of finding aids

(1) Archives and cultural and/or scientific institutions evidence shall send to central registers of the **Nation Archival Heritage** duplicates of part-inventories, inventories, catalogues, registers, thematic catalogues, lists of archival records and thematic registers stated in Annex 2 hereto.

(2) Security archives, specialised archives, archives of territorial self-governing units, private archives and cultural and/or scientific institutions shall send duplicates of finding aids referred to in paragraph 1 to those archives that maintain archival records of the aforementioned archives in their secondary registers of the National Archival Heritage.

(3) Duplicates of finding aids referred to in paragraph 1 shall be sent as hard copies. Another duplicate of an identical finding aid shall be sent in its digital form under the procedure referred to in Section 9 (2) corresponding to the scheme created by the Ministry, which makes it available on line.

(4) Archives shall send, along with a duplicate of a finding aid, also a record from the register of finding aids that have been maintained pursuant to Section 7 (2). A record shall be sent as a hard copy or in the digital form pursuant to Section 9 (2) corresponding to the scheme created by the Ministry, which makes it available on line.

(5) The Ministry shall maintain registers of delivered duplicates of finding aids. Dispatched duplicates of finding aids and their registers shall be part of the central registers of the National Archival Heritage.

(6) The National Archives and regional state archives shall maintain registers of delivered duplicates of finding aids, which is part of the secondary registers of the National Archival Heritage they maintain.

Section 9

Transferring Data from the Basic registers to secondary and central registers

(1) Unless stipulated otherwise hereunder data from basic registers of the National Archival Heritage shall be transferred to secondary registers either as hard copies or in the digital form. Data from secondary registers of the National Archival Heritage shall be transferred to central registers in the digital form.

(2) Transferring data in the digital form means to provide data by means of technical media or via data networks by using a guaranteed electronic signature, under the special legal regulation.¹⁾

(3) The National Archives, the Archives of Security Forces and regional state archives shall transfer data from their register cards and from registers of finding aids and from their basic registers to the central registers in the digital form, not later than on **31 January** of the following calendar year.

(4) Security archives, specialised archives, archives of territorial self-governing units, private archives and cultural and/or scientific institutions shall transfer data from register cards and from registers of finding aids of their basic registers to the central registers upon the request of the Ministry, either as hard copies or in the digital form. **Security archives shall transfer only data on archival records whose degree of confidentiality has been cancelled.**

(5) Security archives, the Prague City Archives and specialised archives established by founders referred to in Section 46 (1) (a) of the Act, and private archives established by founders referred to in Section 46 (1) (c) of the Act, shall transfer data from register cards and from registers of finding aids of their basic registers to secondary registers of the National Archives in digital form not later than on **15 January** of the following calendar year. **Security archives shall transfer only data on archival records whose degree of confidentiality has been cancelled**

(6) Archives of territorial self-governing units, specialised archives and private archives, which do not transfer data to the National Archives under paragraph 5, shall transfer data from register cards and from registers of finding aids of their basic registers to secondary registers of the competent regional state archives (in terms of territorial responsibility) in digital form, not later than on **15 January** of the following calendar year.

(7) Cultural and/or scientific institutions shall transfer data from register cards and from registers of finding aids of their basic registers to secondary registers of the National Archives or the competent regional state archives, either as hard copies or in digital form, not later than on **15 January** of the following calendar year.

(8) The National Archives or regional state archives shall transfer data from archival register cards and from registers of finding aids of their secondary registers to central registers in digital form, not later than on **31 January** of the following calendar year.

(9) Archives and cultural and/or scientific institutions reporting delimitation of archival records pursuant to Section 2 shall inform the Ministry thereof, not later than within 15 working days prior to the transfer of archival records. At the same time they shall send, as hard copies, register cards of archival collection encompassing delimited archival records and a list of delimited archival records.

(10) Data from register cards and registers of finding aids shall be forwarded, as hard copies and as duplicates of register cards, in compliance with the schema provided by the Ministry.

(11) Data from register cards and registers of finding aids shall be transferred on technical media or via data networks in a form that complies with the scheme created by the Ministry, which makes it available on line.

Section 10

Maintaining Registers of Archival Records, Archival Collections or Comprehensive Parts Thereof declared to be Cultural Archival Relics or National Cultural Relics

(1) The Ministry shall assign each cultural archival relic and/or National Cultural Relic (hereinafter referred to as a “relic”) a number.

(2) Included in special register maintained by the Ministry shall be;

- a) an application for the declaration of archival records, archival collections or their comprehensive parts as relics;
- b) a duplicate of the decision adopted by the Ministry to declare archival records, archival collections or comprehensive parts thereof as cultural archival relics; in the case of National Cultural Relics, Government Regulation is required;
- c) data on exports of any relics pursuant to Section 29 of the Act;
- d) reports on results of examinations on the physical condition of relics forwarded to the Ministry by archives pursuant to Section 3 (3) and (4) of the Act;
- e) a decision of the Ministry on conservation and restoration of damaged relics or relics at risk, pursuant to Section 30 (5) of the Act;
- f) data on measures pursuant to Section 32 of the Act;
- g) a decision of the Ministry pursuant to Section 34 (5) and Section 39 (4) of the Act, in the case of a National Cultural Relic.

(3) Archives shall maintain special register of those relics registered in basic registers or secondary registers of the National Archival Heritage. Included in such special register of relics shall be;

- a) a duplicate of an application for the declaration of archival records, archival collections or comprehensive parts thereof as relics,
- b) a duplicate of the decision adopted by the Ministry to declare archival records, archival collections or their comprehensive parts as cultural archival relics; in the case of National Cultural Relics, also a duplicate of the Government Regulation declaring the cultural archival relic to be a National Cultural Relic;

- c) data pursuant to Section 18 of the Act,
- d) data on exports of any relics pursuant to Section 29 of the Act;
- e) data on security copies pursuant to Section 30 (1) of the Act;
- f) reports on results of examinations of the physical condition of relics pursuant to Section 3 (3) and (4) of the Act;
- g) data on measures pursuant to Section 30 (5) and Section 32 of the Act;
- h) a decision of the Ministry pursuant to Section 34 (5) and Section 39 (4) of the Act, in the case of a National Cultural Relic.

(4) Archival records, archival collections or comprehensive parts thereof declared relics shall be record in basic, secondary and central registers on register cards in the scope as follows:

- a) the name of the relic;
- b) the type of the relic;
- c) the declaration date;
- d) the number under which the relic is registered in the central record of relics.

(5) If a cultural archival relic ceased to be a relic due to reassessment of its importance under Section 21 (6) of the Act, special archival records of cultural archival relics maintained by the Ministry shall be included in the file concerning the issue in question. Special archival records of cultural archival relics maintained by archives shall be in this case forwarded to the Ministry and shall be also included in the file concerned.

Section 11

Procedures for and the Manner of Discarding Archival records from the National Archival Heritage when the Importance of Archival records is reassessed

(1) Archival collections containing archival records referred to in Section 5 (1) and (2) of the Act cannot be discarded from archival records of the National Archival Heritage as a consequence of reassessment of the importance of archival records.

(2) If an archival collection, subject to paragraph 1, does not demonstrate a permanent value, the entity maintaining an archival fond or archival collection in their basic registers shall submit to the Ministry a proposal with a rationale for their discarding from the archival records of the National Archival Heritage.

(3) The decision of the Ministry shall be registered in the register card upon which the archival collection was registered in the basic registers.

(4) If a discarded archival collection is maintained in secondary registers, the archives or the cultural and/or scientific institution discarding the archival collection shall inform the National Archives or the competent regional state archives in which

secondary registers the archival collection is maintained thereof. The information shall be provided forthwith after the decision on discarding the archival collection from the National Archival Heritage has come into effect.

(5) The register card on which the discarded archival collection is registered shall be discarded from the basic, secondary and central registers. A hard copy of the discarded register card shall be stored in the registry of the relevant archives or the cultural and/or scientific institution that maintained the archival collection in their basic registers.

Section 12

Procedure and Manner of Discarding Archival Records from Registers of the National Archival Heritage if Archival Records Are Destroyed

(1) If an archival collection or record stored outside of archives or a cultural and/or scientific institution and maintained in basic registers of the National Archives or the competent regional state archives is destroyed the entity maintaining the archival collection or a record in basic registers shall report this fact to the Ministry and shall submit a proposal for discarding the record or archival collection from the registers of the National Archival Heritage. After the archival records concerned have been examined by the Ministry along with representatives of the competent archives, the Ministry shall prepare a protocol on destruction of the archival records or the archival collection. The facts included in the protocol shall become the basis for issuing the relevant decision.

(2) If an archival collection or record stored in archives or a cultural and/or scientific institution is destroyed, the relevant archives or a cultural and/or scientific institution shall inform the Ministry thereof. If such a record is maintained in secondary registers the information on the destruction shall be also provided to the archives maintaining the record concerned in its secondary registers. After the archival records concerned are examined by the Ministry assisted by representatives of the archives concerned, the Ministry shall prepare a protocol on destruction of the archival records or the archival collection.

(3) Destruction of archival records means also such damage where the record concerned loses attributes which must be met by archival records in accordance with the Act. This fact shall be registered in the relevant register card. If a whole archival collection has been damaged the relevant register card shall be discarded from basic, secondary and central registers.

Section 13

Marking Archival Records

(1) Archival records included in Category I shall be filed in protective folders marked in red with the Roman numeral I, in such a manner that the record concerned cannot be damaged. The rooms where such archival records are stored shall be marked accordingly. **This marking shall not be used in the archives where all stored archival records fall under Category I.**

(2) Archival records of Category II shall not be marked.

(3) Archival records that are declared relics shall be filed in protective folders marked by a red circle with the letters KP, in such a manner that the record concerned cannot be damaged. The rooms where such archival records are stored shall be marked accordingly.

(4) The manner in which Category I archival records or relics are marked may be changed upon request if a prescribed marking contradicts other necessary markings based on other legal regulations. The Ministry shall approve any change in markings upon request.

(5) Digital archival records shall not be marked according to categories.

Section 14

Storing Copies of Archival Records and Care for Them

Security copies of archival records shall be stored in the premises different from the premises where originals of archival records are stored.

Section 15

Public Contribution

(1) In relation to the declaration of a record as archival record, the owner of such a record shall be entitled to receive a **one-off** public contribution amounting to CZK 3 for each register unit.

(2) The flat public contribution referred to in paragraph 1 shall be increased by CZK 2 for each page of the record if the owner makes a photocopy for the requirements of the competent regional state archives or the National Archives.

(3) In relation to the declaration of a archival records a cultural archival relic or in relation to the declaration of a cultural archival relic as a National Cultural Relic, when these archival records are not stored in any public archives, the owner of such a cultural archival relic or a National Cultural Relic shall be entitled to a flat public contribution amounting to CZK 10 for each register unit.

(4) The flat public contribution referred to in paragraph 3 shall be increased by costs, specifically by CZK 20 for each page of the record concerned, for the making of one security copy of the cultural archival relic by the owner for the requirements of the competent regional state archives or the National Archives made as a microfilm negative copy.

(5) A founder of accredited private archives shall be entitled for a one-off annual public contribution for operations of the private archives at the amount of CZK 70 for one linear meter of archival records. **As regards digital archival records in the formats determined for their output under the Decree on Details of Execution of archival records management, a one-off public contribution shall be specified at the amount of CZK 70 for each 1 GB (or part thereof) of the capacity.**

(6) The increased public contribution pursuant to paragraph 2 and paragraph 4 shall not be paid if the copy or security copy is made at the costs of the competent regional state archives or the National Archives.

Section 16

Sample Research Rules

(1) Sample Research Rules, including appendixes containing a research sheet with a specimen application for access to information, records proving that archival records were picked up and returned and a specimen application for the permission for a researcher to use his/her own reproducing equipment shall be included in Annex 3 hereto.

(2) Archives may extend sample Research Rules only by their own provisions resulting from special conditions of the archives concerned whilst maintaining a basic sample text of the sample Research Rules. **When doing so, archives shall always complete the provisions of Article 2 (5) of Annex 3 by the number of archival records assumed to conform to the conditions of the archives concerned**

Section 17

Price List of Service and Reproduction Fees Valid in Public Archives

Services and an approval of one-off use of reproduction of archival records provided by public archives shall be paid in accordance with the Price List of Services and Reproduction Fees Valid in Public Archives published in Annex 4 hereto. Public archives shall provide such services in compliance with their technological equipment.

Section 18

Carrying Capacity of Floors in the Premises for Archival Records Storing, Temperatures and Relative Air Humidity for Archival Records Storing and Amounts of Average Annual Costs per One Linear Meter of Archival Records

Carrying capacity of floors in the premises for records storing, temperatures and relative air humidity for archival records storing and amounts of average annual costs per one linear meter of archival records are laid down in Annex 5 hereto.

Section 19

Entry into Effect

This Decree shall come into effect on 1 January 2005.

Minister
Mgr. Bublan

Annex 1

Registering units

I. Registering units shall be divided into main units and partial units. Main register units shall be basic, general unit for counting and reporting numbers of archival records. Main register units shall be defined by the list of features and characteristics included in this Annex. Partial register units clarify main register units in terms of arranged archival records. The sum of the number of arranged partial register units shall always correspond to the number of arranged main register units.

II. Registering units shall be broken down according to different aspects as follows:

a) unarranged archival records that are in packets and boxes;

b) arranged archival records, which are further divided into:

1. register units for registering files and accounting files (boxes and fascicles);

2. register units for registering original (filing, registering) registering aids (record registers, indexes, elenchus, and auxiliary registers). An index means an alphabet list of personal, local or factual entries; an elenchus refers to a list of files within a certain fascicle; and an auxiliary register means archival records of files of a certain fascicle at the level of the smallest storing or factual unit;

3. register units for registering of items. An item shall be:

- a record;
- an official book, manuscript;
- a record register including a record register in the form of a book or in filing cabinets;
- an index, elenchus, and auxiliary register,
- a card file / a filing cabinet;
- a seal-matrix;
- a map, plan, art print (a map composed of several sections shall be one registering and inventory unit, while in the inventory archival records the number of sections is itemised),
- a photograph, album, roll-films (photographs stored in an album shall not be registered individually; with regard to roll films the whole roll shall be registered);
- films (film strips and other media for audiovisual archival records);
- an audio record,
- other (items not included in the aforementioned register units).

Maps, plans, photographs and art prints that are parts of files or other items, shall not be included among items. Items shall be registered in the record list of the National Archival Heritage notwithstanding their storage form.

III.

Main and Partial Registering units

1. Deeds up until 1526 – the number of all originals of archival records and their verified duplicates created up until 1526. A deed shall be understood to be a written testimony on legal act, having certain external and internal signs as well as there being a means of verification prescribed or used in the time of its creation.

2. Deeds after 1526 – only such deeds that not only display external signs accompanying legal acts in the form of written archival records (for example parchment, verification aids festive form, atypical format, and so forth) but are also superior or extraordinary in comparison to usual written archival records due to their content. Written archival records describing legal, less important, acts which acted as supporting archival records for additional archival records in other written archival records for the purpose of codifying them and providing greater legal provability (for example official books) are not, as a rule, registered as items. Not only the scope and importance of a legal act is taken into account, but also the importance of a beneficiary and sometimes a publisher of a written record, is considered. Written archival records describing a less important act for publication of which other official archival records were (or could be) used as supporting archival records are not registered and registered as items either. Such written archival records are usually of greater legal provability and thus the diplomatic value of written archival records published in compliance with them is diminished. They are for example letters of discharge, certificates of good state, indentures, personal archival records and diplomas, foundation deeds, statutes, articles of association of organisations and societies, court and notary archival records and so forth. Securities (shares, bonds, note and so on) shall not be registered and registered as written archival records. **Deeds stored in boxes shall be registered as items and boxes in which such deeds are stored shall not be registered as register units in this case.**

3. Official books and manuscripts - an aggregate sum of official books and manuscripts together shall be registered. A number of official books and manuscripts shall be registered separately in partial register units.

a) Official books - an aggregate sum of official books in archival collections shall be registered, for example municipal books, books of municipal finance, municipal management books, guild books maintained at administrative offices of a dominion (land and duties registers, bailiffs' books) and office books (forms, books of concepts, books of copies, manuals, registers and so forth). As regards archival fonds of schools, reports on results of pupils shall be registered (school catalogues and protocols from teachers' conferences). With regard to clubs and cooperatives, in particular books of minutes from meetings of committees, boards of directors and so on shall be registered. Accounting books and land registers as well as chronicles with the exception of chronicles stored in personal fonds shall be registered as official books. **An official book is a bound book. Archival records of the aforementioned content and type which are not bound but which meet all the below criteria shall be deemed to be official books. Such official books shall meet the following criteria – they have a unified format, are broken down according to individual time units (for example according to years) and their pages are numbered. Books stored in boxes shall be registered as items and boxes in which such books are stored shall not be registered as register units in this case.**

b) Manuscripts - the number of pieces or files of manuscripts. A manuscript is a record of unofficial nature. If archival records are bound into a convolute only the number of files shall be registered. For example, diploma theses shall be registered as manuscripts.

c) Sheets of music that are included as manuscripts in individual collections shall be registered as manuscripts. A sheet of music shall be understood to be handwritten or printed music composition. In other cases sheets of music shall be registered in boxes. Archival records shall always encompass markings that the box contains sheets of music.

d) Newspaper clippings, official prints and printed recordation shall be registered in the same way as sheet music.

4. **Incremental registers** – an incremental register including incremental **registers** bound as books or card files.

5. Indexes, elenchus, auxiliary registers (the number of pieces of original aids serving for registering of archival records according to factual or systematic breakdown regardless of their original name). The number of such aids shall also be registered if such registering aids are stored in boxes. The number of indexes, elenchus, and auxiliary registers shall be registered separately in partial register units.

6. Filing cabinets – the number of drawers or boxes shall be registered. A card file shall be understood to be a set of systematically arranged separate sheets encompassing information on certain issues or a particular topic and maintained, as a rule, in prescribed or specifically established form. It can be stored in several register units. If it serves as an original registering aid (a record register, index and so forth) is shall be registered as a relevant item.

7. Matrices – a total number of seal-matrices or stamps shall be registered. The number of arranged seal-matrices and stamps shall be registered separately in partial register units. A seal-matrix shall be, as a rule, a metal plate with engraved negative image which when pressed into sealing wax renders a positive relief – a seal representing its owner for the purpose of legal verification or for sealing records. A stamp shall be a rubber or metal plate with an applied image, which is printed onto a record. The image represents its owner for the purpose of record verification.

8. Cardboard boxes – the number of boxes shall be registered. A box shall be a register unit describing a special archiving box. As regards unarranged archival records, a box shall be a register unit of archival records stored in a special archiving box. As regards arranged archival records, a box shall be a register unit of files and accounting archival records stored in a special archiving box.

9. Binders – the total number of fascicles shall be registered. A fascicle shall be a register unit for arranged archival records, the storage of which in boxes would not ineffective or unfeasible for any reason. Accounting archival records shall also be registered in this register unit.

10. Maps, plans, art prints – the total number of pieces of individual maps, atlases, plans, designs, art prints and drawings shall be registered. The number of maps, arranged maps, plans and art prints shall be registered separately in partial register units.

a) Maps, atlases – a map composed of several sections shall be registered as one registering and inventory unit. The number of sheets (sections) shall be registered in a note to the relevant

register unit. Atlases shall be registered as items, and the word “atlases” shall be written in a note to the relevant register unit.

b) Plans, designs – the same procedure as with maps shall apply.

c) Art prints, drawings – the number of inventory units shall be registered (sets, series, albums); the number of sheets shall be registered in a note to the relevant register unit. Drawings shall be registered as items, and the word “drawing/s” shall be written in a note to the relevant register unit.

11. Photographs, albums, roll films – the number of pieces of photographs, negatives, slides, albums (photographs stored in albums shall not be registered separately) and roll films (separately positives and negatives), microfiches and a microfilms shall be registered. A roll of film shall be understood to be static images on a roll of a photographic material. As regards arranged archival records, the number of individual albums of photographs, negatives, slides, roll films (separately positives and negatives) and microfiches together with microfilms shall be separately registered in partial register units.

12. Films – the number of film strips and other media of audiovisual records shall be registered. A film strip shall be understood to be a length of flexible material onto which a layer sensitive to light has been applied, which depicts a set of registered mutually related images, which, when projected, produce the effect of movement; there may also be audio accompaniment of images. Further to these, other audiovisual archival records on other media shall be registered. As regards arranged archival material the number of positive and negative film strips shall be registered separately in partial register units (the width in millimetres - 8, 16, 35 mm shall be registered in the note to the relevant register unit). **Copies of films created on the contractual basis by the National Film Archives in Prague shall not be deemed to be register units.**

13. Audio records - the number of matrices. Magnetic strips and audio cassettes, gramophone archival records and other audio records shall be registered. As regards arranged archival material, the number of individual matrices, magnetic strips and audio cassettes, gramophone archival records and other audio archival records shall be registered separately in partial register units.

14. Packets – a packet shall be a register unit used in archives only for unarranged archival records. Material stored in packets, other than archiving boxes and so forth, shall be registered by means of this register unit. The size of a packet or a box is of no importance. If unarranged archival records are stored in boxes for the sake of better protection they shall be registered only as boxes. Unarranged archival records stored in filers shall be registered as packets.

15. Digital datasets – a digital dataset shall be a register unit indicating a set of data which was originally created and managed by means of information technologies, and which has been selected as archival records. A dataset, as a rule, comes in the form of fields and tables containing structured data (for example files, results of surveys, censuses, inventories, databases, presentations, web pages, mathematical models and so forth) including the number of archival records and their total size expressed in bytes. Digital films, photographs and audio archival records shall be registered as relevant register units if they are not part of higher data sets – datasets (databases, presentations,

web pages, mathematical models and so forth). Digital datasets shall be broken down to snapshot. A digital acceptance shall describe a dataset that represents data for a certain period of time, most often for a year. A digital acceptance shall serve as a register unit only if the data contained in it has been selected to become recordation. It is registered including the date on which the data were created, the number of archival records and their total size in bytes.

16. Other/miscellaneous: other parts of an archival collection not included in the previously outlined types of register units shall also be registered; these include, for example fully dimensional objects. Archival records shall always include specification of a registered object. This item shall include registers of **prints**, coins, jewellery, clichés, medals, posters, or other special material.

Annex 2

Types of Finding Aids

A finding aid shall be an information system which is created during the course of processing archival records and shall serve for registering and indicating the content and time span of an archival fond, archival collection or parts thereof. The information system shall be created and made available to researchers both as hard copies and in the digital form. Archives and cultural and/or scientific institutions maintaining the described archival records in basic, secondary or central registers shall store the relevant finding aid as a hard copy.

Finding aids shall be divided as follows:

- I. Basic
- II. Special
- III. Reference

ad I.

Basic finding aids shall be comprised of an interim inventory list, a partial inventory, an inventory, and a catalogue. Archival records maintained in an interim inventory list shall be deemed arranged, but not yet included in the inventoried archival records. Archival records maintained in a partial inventory, an inventory, and/or a catalogue shall be those which should be included in the inventoried archival records.

An interim inventory list shall be a basic list of all inventory units of an archival collection or parts thereof, sequentially organised either according to the original arrangement of arranged written archival records or on the basis of other internal links between inventory units inside an archival collection. Registering units shall be stated on the list as well. An interim inventory list shall be made to record archival material and to determine its content. It shall have a title page and printer's imprint.

Partial inventory shall be a finding aid relating to part of an archival collection and having the same requisites as an inventory. It shall relate to an arranged closed part of an archival collection. Inventory numbers of individual partial inventories shall concur.

An inventory shall be a basic list of all inventory units of a closed archival collection, sequentially arranged either on according to the original arrangement of written archival records included in the inventory or on the basis of internal links between inventory units inside an archival collection. Registering units shall be stated on the list as well. It shall be made to record archival records and their storage details, and to determine the content, time span and the number of archival records. It shall have a title page, an introduction with a list of used sources and literature, an inventory list, registers (if they are applicable) and a printer's imprint. Furthermore, it shall include a table of contents and annexes to the introduction (classification scheme, structural schemes of an archival fond or collection, concordance tables of old and new call numbers, lists of abbreviations and acronyms used, translation of old and foreign language local names to current word forms, and so forth).

A.

An inventory title page shall include the following:

- a) the name of an archives or a cultural and/or scientific institution or the name of an administrator or owner of archival records;
- b) the name of a finding aid (identical to the name of an archival collection including, if applicable, specification of parts thereof);
- c) the time range of a finding aid (identical to the time span of an archival collection or part thereof registered by means of a finding aid);
- d) the type of a finding aid;
- e) the number of the register card of the National Archival Heritage relating to a particular archival collection, the record of which set is described in a finding aid;
- f) the register number of a finding aid;
- g) the name or names of the person (s) who created the finding aid;
- h) the place and year of creation of a finding aid.

Title pages of other types of finding aids shall encompass the same data.

B.

An introduction to any inventory shall contain the following chapters:

- a) the development of the agency of records; i.e. the development of organisation and competences of the institution, citing relevant legal regulations; as regards private fonds there shall appear curricula vitae of persons;
- b) the development and history of an archival collection; i.e. a description of the system of registering used by the agency of an archival collection entailing its development, the data on stored written archival records, their processing or respective losses before they were delivered to the archives;
- c) archival description of an archival collection; i.e. an analysis of its condition, description and justification of a selected arranging method and the **structure of a finding aid, archival records on discarding duplicates and items of other than archival nature;**
- d) a brief analysis of the content of an archival collection;
- e) archival records concerning arrangement of an archival collection and creation of a finding aid; these should detail who arranged the finding aids, when and in which archives, who put together an inventory and what sources have been used.

C.

An inventory list is part of an inventory containing inventory archival records that comprise, as a rule, the inventory number, and call number, description of the content of an inventory unit, time span and a sequence number of a register unit.

D.

The printer's imprint of an inventory shall be placed on the last page of a finding aid and shall encompass the following data:

- a) the name of a finding aid (identical to the name of an archival collection including, if applicable, specification of parts thereof);
- b) the time range of a finding aid (identical to the time span of an archival collection or part thereof registered by means of a finding aid);
- c) the number of register units made available through the finding aid (the numbers of types of main register units, corresponding to the sections of a register card of the National Archival Heritage, shall be specified in the parenthesis);
- d) the number of inventory units which may be made available on the basis of the relevant finding aid;
- e) the scope of archival records in linear metres made available by means of a certain finding aid;
- f) the condition of archival records made available by means of the finding aid,
- g) a mark of an archival collection, if any;**
- h) the name and surname of the person who has arranged the archival collection;**
- i) data on who created the finding aid (or data on the author of the introduction if he/she differs from the aforementioned person who has arranged the archival collection);**
- j) the number of pages of the finding aid;**
- k) data on who approved the finding aid, with the reference number and the date of such an approval.**

Title pages of other types of finding aids shall encompass the same data.

A catalogue is a finding aid for an archival collection or parts thereof providing information on the content and form of archival records. It shall have a title page, content, introduction, a list of used literature, catalogue archival records, registers and a printer's imprint extended by the number of catalogue archival records.

Associated and group inventories established under former legal regulations shall be also deemed to be finding aids.

ad II.

A register, a thematic catalogue, a list of archival records, and a thematic register shall be special finding aids. Archival records furnished with a special finding aid shall be deemed to be part of inventories.

A register is arranged alphabetically by relevant names (personal, geographical or local) and a factual indicator serving for detailed orientation in the content of an archival collection or parts thereof. It shall have a title page, introduction, table of contents, list of literature utilized, register archival records, and a printer's imprint. As an independent finding aid, it differs from registers to finding aids or parts thereof.

A thematic catalogue is a list of individual archival records formed by catalogue archival records concerning a defined theme of one or more archival collections, with precise data about their storage. A thematic catalogue shall have all the requisites common to catalogues.

A list of archival records is a list of individual archival records formed by archival records on the content of a defined theme of one or more archival collections, with precise data about their storage

A thematic register is alphabetically arranged by relevant names (personal, geographical or local) and is a factual indicator developed for a defined theme of one or more archival collections with data about their storage. A thematic register shall have all requisites common to registers.

ad III.

A list of fonds, a description of fonds, guide and edition shall be reference finding aids.

A list of fonds (collections) shall be a list of archival collections of one or more archives, with data about their storage.

A description of fonds (collection) shall be written information on the content, agency, time span and quantities, condition, processing and on options on how to use such an archival collection.

A guide shall be a set of descriptions of fonds (collections) of archives (or their department). It shall contain an introduction including a brief description of an area the relevant archives is involved in, information on the development and organisation of an archives, descriptions of archival collections, information on the library and auxiliary information and data (such as the list of abbreviations and acronyms, geographical and factual register, a list of literature utilized) or an appendix containing pictures.

An edition shall be a text or pictorial reproduction of a record in accordance with specified rules. It shall be deemed to be a finding aid only if it contains exclusively archival records stored in the archives in which it was created.

Annex 3

SAMPLE RULES OF RESEARCH PROCEDURE

The rules of Research of archives issued pursuant to Section 36 (a) of Act No. 499/2004 Coll. on the archives and records management and on the amendment to some other acts, as amended, and other relating acts.

Article 1

General Provisions

(1) It shall be possible to look up information in archival records only after the conditions stipulated in the Act are met and in the rooms designated for such activities (hereinafter referred to as a “reading room”). Those who apply for access to information in archival records (hereinafter referred to as “researchers”) shall not have access to rooms where archival records are stored.

(2) A researcher, when entering a reading room, shall register in the guest book of the reading room where he/she shall specify the date and purpose of the visit, record his/her name and surname, and provide a signature.

(3) In the reading room a researcher shall fill in a research sheet, which serves also as an application for access to information in archival records. A researcher shall prove his/her identity by his/her valid identity card, passport or any other similar personal record to an employee who is authorised to provide services in and supervise the reading room (hereinafter referred to as “reading room staff”); this person should then check whether all the required data is included in the research sheet. In the case of an electronic research sheet, it shall be completed by the staff in the reading room in the presence of the researcher concerned who shall in turn, after the research sheet is printed out, check all the data and shall sign the printed research sheet. A researcher shall fill in a new research sheet for every calendar year in which he/she wishes to access information in archival records, and/or if any change in the purpose for which information is accessed occurs, and/or if any change of the topic of studies occurs.

(4) If a researcher is not able to prove his/her identity to the reading room staff by submitting a valid identity card, passport or any other similar record he/she will be denied access to archival records.

(5) A researcher shall fill in the application form for gaining physical access to archival records where he/she complete his/her name, surname, the name of the archival fonds, the number of a box, book or the inventory number or the call number or the folio number which he/she wishes to study and shall sign the form and include the date. A researcher may send his/her preliminary request to the archives via the internet, fax or by phone call. If such a request does not contain all required data or if the formulation of the request to be provided with archival records is imprecise, not sufficiently specific or in any way ambiguous, then the request shall be deemed to be only informative and non-binding. Such a request may be satisfied within a reasonable time limit after it is clarified during the personal visit of the researcher to the archives.

When a researcher visits the archives, he/she shall fill in an application form, shall include the date and sign it. The form shall be attached to the research sheet and shall become its integral part.

(6) Before entering the reading room a researcher shall take off his/her coat, placing it and any hand-bags, dispatch boxes and other similar objects in a designated area. A researcher shall be permitted to enter the reading room only with a pen, pencil, own unbound papers (without a folder), and a registering device such as a camera, video camera, a portable scanner or a laptop (without any case). After terminating his/her studies a researcher shall submit his/her belongings to be examined to ensure that the researcher does not carry any archival records from the reading room (in particular he/she must open the laptop, scanner, etc, and submit personal paper for checking). Objects that are brought to the reading room by the researcher he/she shall submitted for checking also before he/she begins to study in the reading room. Persons who are dirty, intoxicated or armed may not enter the reading room.

(7) It is necessary to observe silent study etiquette. Smoking, eating, drinking and use of telephonic equipment are not permitted. A researcher shall switch off all audio signals on devices he/she has brought to the reading room.

Article 2

(1) When looking up information a researcher shall respect instructions of reading room staff. Reading room staff in the reading room may require from a researcher that, when making excerpts and notes from some types of archival records, he/she uses only pencils of medium hardness. Reading room staff in the reading room shall not be obliged to assist a researcher with reading the text of a record, translating it into other languages, interpreting historical facts relating to such archival records and so forth.

(2) When looking up information a researcher shall handle archival records with the utmost care. Archival records shall not be used to cushion or pad a sheet of personal paper whilst the researcher takes notes there; their content may not be copied directly using tracing paper; it shall be prohibited to underline the text, to scratch in them, or to use archival records in any other manner or for any other purpose than for looking up relevant information. Physical damage of archival records by a researcher shall result in immediate termination of access to archival records.

(3) Researchers shall be prohibited to take archival records from the reading room without permission of the reading room staff. Removing an archival record shall result in immediate termination of access to archival records.

(4) In all cases only one person may look up information in archival records that have been requested by a certain researcher, namely only the researcher to whose research sheet the submitted archival records have been included. In justified cases (for example didactical purposes, during excursions) the reading room staff may permit more persons to look through archival records.

(5) A researcher shall be submitted archival records within a time limit, in total amount and in the amount for one visit day according to operational and technical conditions of the archives, with consideration to the importance and purpose of looking up information. Only the amount that a can check without any difficulties shall be submitted to the researcher.

(6) Archives shall not provide a researcher with archival records to be studied in the reading room if the researcher does not commence research activity within thirty days of the date on which he/she requested the record, or if the researcher interrupts research activity for a period exceeding thirty days. Archival records are prepared for a researcher in the reading room for the period necessary for looking up relevant information. If a researcher does not engage in the relevant research on an ongoing basis or regularly, and if he/she does not return the record personally to the reading room staff, archival records shall be deemed to be prepared for a researcher for a period of three months from the order date. After this period, in justified cases, bookings can be extended for a longer period, however, as a rule, not longer than by the end of the given calendar year. When extending the period, other researchers who have applied for access to the relevant archival records concerned shall be taken into account.

(7) Archives shall permit access to information in archival records to a researcher different from the one who initially applied for such activities if the initial applicant approves the other researcher may also use such archival records or if each of these researchers looks up information for a different purpose or studies a different topic. If two or more researchers want to look up information concurrently the archives shall facilitate access to the relevant archival records for the initial applicant only. In disputable cases the director (head) of the archives shall decide the matter.

Article 3

(1) If conditions specified by the reading room staff are met (for example silent study etiquette is observed in the reading room) and if other researchers are not disturbed, the reading room staff may permit that researchers use their own reproduction equipment for making reproductions of archival records for their own study needs. In doing so the protection of respective proprietary rights and copyright shall not be compromised.

(2) A researcher shall be obliged during any session, after finishing his/her research activity using archival records, to tidy up his/her place. The researcher shall take with him/her all excerptions, notes and other aids or objects.

(3) During any session, after finishing his/her research activity using archival records, a researchers shall be obliged to return those archival records in the amount and condition in which he/she received them. Violation of this rule shall result in immediate termination of access to archival records.

(4) Reading room staff shall be obliged to check the number and condition of archival records returned by the researcher and verifies by signature in the research sheet that these have been duly returned before the researcher leaves the reading room.

(5) A researcher shall use information acquired from archival records only for the purpose stated in the research sheet. When using such information in scientific or other works, the name of the archives, utilized archival collection and call numbers or inventory numbers of archival records (archival citations) from which information was acquired shall be stated.

(6) If a researcher has published a work based on information found in archival records stored in the archives, the researcher shall send to the relevant archives one copy of the said work (for example an edition of archival records). If the researcher draws on a record stored in several archives he/she shall send the published work only to the archives where he found the majority of information; the other archives shall receive only bibliographic information on the published work or the researcher may send his/her work electronically in PDF format.

Article 4

Using Finding aids

(1) Archives shall enable researchers to use finding aids.

(2) Finding aids submitted to researchers, if such aids are not official works and if they meet all features of the protection in accordance with the Act on Copyright, shall be handled as literal works (for example introductions to inventories).

Article 5

Making Reproductions of Archival records

The archives shall provide reproductions made of archival records which are studied by a researcher or which a researcher needs for official purposes or for the purposes of his/her own work stated in the research sheet; however such reproduction shall depend on the respective approval of the owner of archival records or on the protection of copyright and relating rights. Reproductions of archival records shall be provided dependent on operational and technical conditions of the archives. Reproduction of archival records whose physical conditions do not allow for this shall not be made.

Article 6

Lending of Archival Records for Study outside the Archives

(1) Lending of originals of archival records to archives other than the one where they are stored shall be permitted only by the director (head) of the archives and only exceptionally, whilst taking into account the sense, purpose and circumstances of their usage, safe transport and protection of archival records in the place of temporary storage with regard to related costs. Archival records may not be sent by regular mail. They may be transported by an authorised employee delegated by the director (head) of the archives lending the archival records, upon conditions negotiated in advance.

(2) The director (head) of the archives shall approve the lending of originals of archival records only exceptionally and under conditions pursuant to paragraph 1, to the owner or the agency and state authorities, regional or local authorities and persons who are under the special legal regulation entitled to access information in archival records, if such activity is required for the execution of an official function. Lending of originals of archival records to the agency may not be refused if the agency deposited said archival records under a custody agreement, a contract of donation or purchase agreement and the agency reserved the right to borrow such archival records in the agreement concerned.

(3) If archival records stored in public archives are not in the ownership of the Czech Republic, of a legal entity established by virtue of law or of a territorial self-governing unit, a written approval of the owner to lend such archival records shall be required.

(4) When lending archival records the archives shall be obliged to issue to a borrower a letter of indemnity encompassing:

- a) a precise list of archival records being lent;
- b) the purpose of lending;
- c) the date of lending and the time limit for returning archival records;
- d) the name, surname and address of permanent residence of a borrower according to his/her identity card, if the borrower is a natural persons; or
- e) in the case of a legal entity, the seat of the borrower and the name and surname of the authorised person; and
- f) a manual signature of the borrower or the persons authorised for the borrower and the official stamp of the borrower in the case of a legal entity.

(5) Lent archival records shall be registered in the archives in a special book of archival records lent and borrowed.

(6) If a borrower does not return lent archival records within the agreed time limit and does not negotiate an extension of the time limit, other requested archival records shall not be lent until the originally lent archival records are returned.

Article 7

Using the Library of Archives

A researcher may use books, journals and newspapers from the library of the archives relating to the researcher's study field and within the scope of such studies. Use of books, journals and newspapers from the library of archives for study purposes shall be governed by the relevant Library Rules, which shall be issued by the director (head) of the archives.

Article 8

Excursion to Archives

During excursions to archives visitors shall enter their names into the guest book of the reading room. Entry into other rooms of the archives shall be possible only when a visitor is accompanied by an authorised employee.

Article 9

Payments for Services Provided to Researchers and Fees for Reproduction

(1) Payments for services provided by archives upon the request of researchers and payment of fees for reproductions shall be specified by the Price List of Services and Reproduction Fees valid in public archives.

(2) The Price List of Services and Reproduction Fees valid in public archives shall be available to researches in reading rooms of archives as well as on line.

Article 10

Final Provisions

If a researcher violates any of the basic obligations provided for in the Rule of Research Procedure, that researcher may be refused use of archival records or the given approval may be revoked.

In on Signature

Appendix 1 to the Research Rules

The name of the archives

Year, reference number.

Sequence number

RESEARCH SHEET (to be completed by the researcher)

Name (names) and surname Maiden name

The date and place of birth

Permanent residential address

Phone: (optional).....

E-mail: (optional)

Delivery address Phone: (optional).....

E-mail:(optional).....

Nationality.....

ID card, passport, other similar record No..

Precise name of the topic of studies and time scope:

.....
.....

- | | | |
|----------------------|--|--------------------------|
| Purpose:*) | Official (service) | <input type="checkbox"/> |
| | Private | <input type="checkbox"/> |
| Focus:*) | Scientific (studies, monographs, student, diploma or doctoral thesis etc.) | <input type="checkbox"/> |
| | Scientific editions of archival records | <input type="checkbox"/> |
| | Genealogic purposes | <input type="checkbox"/> |
| | Private education for an personal interest | <input type="checkbox"/> |
| | Collecting purposes and related research | <input type="checkbox"/> |
| | Publishing purposes | <input type="checkbox"/> |
| | For the purposes of exhibition | <input type="checkbox"/> |
| | For the needs of public authorities | <input type="checkbox"/> |
| Chronicling purposes | <input type="checkbox"/> | |

*) *Mark the applicable option with a cross in the box:*

In the case of accessing information for official (service) purposes:

The name and seat of the legal entity for which the researcher works on the topic

.....

I hereby declare that in compliance with the relevant legislation I am fully aware of my personal liability for treatment of information that I have acquired from archival records.

I hereby declare that I have learnt the provisions of the Research Rules and take into consideration that any violation of obligations may be sufficient reason for denying my further access to information in archival records or for the previous approval to be revoked.

I am also aware that in the case of untrue data stated on the Research Sheet I may be prosecuted and it may be sufficient reason for denying my further access to information in archival records or for the previous approval to be revoked.

Information for researchers:

Personal data contained in the Research Sheet are collected and arranged under Act No. 499/2004 Coll. on archives and records management and on the amendment to some other acts, as amended and under Act No. 101/2000 Coll. on the protection of personal data and on the amendment to some other acts, as amended. Personal data stated in the Research Sheet shall be arranged for the purpose of protecting archival records; it shall serve only for internal needs of the archives and shall not be provided to third parties.

In on

Signature.....

(To be completed by the reading room staff)

The data was checked by on

Signature of an employee authorised to supervise the reading room:

Access to information approved for unarranged archival records..... on.....

Access to information approved for archival records less than 30 years old on

Access to information approved for archival records encompassing personal data under Act No. 101/2000 Coll. on

Access to information approved for other archival records on

Annex 4
Price List of Services and Reproduction Fees Applicable in Public Archives

A.

Making an extract or duplicate of archival records, or notes on the fact that nothing relevant has been found in archival records, and on verification of copies made by public archives

1. Making an extract or duplicate - CZK 50 for each full page or part thereof.
2. Notes on the fact that nothing relevant has been found in archival records - CZK 50.
3. Verification of the copy of a record with its original stored in the archives and made by the archives under letter B, point 1 - CZK 130 for each full page or part thereof.

B.

Reproduction of Archival records

1. Electrographic copying (CZK/1 reproduced sheet)
black and white
one-sided:
A4 A3

1.1.1.1. from unbound sheets	CZK 5	CZK 8
1.1.1.2. from bound sheets	CZK 7	CZK 12

two-sided:

1.1.2.1. from unbound sheets	CZK 8	CZK 12
1.1.2.2. from bound sheets	CZK 17	CZK 22

coloured
one-sided:
A4 A3 formats

1.2.1.1. from unbound sheets	CZK 25	CZK 38
1.2.1.2. from bound sheets	CZK 33	CZK 46
2. Micrographic work
Making micro-record

1 field 35 mm of microfilm 45 x 35 mm	CZK 32
1 field 35 mm of microfilm 24 x 35 mm	CZK 20

Copying micro-record

1 field – size is not taken into account	CZK 15
--	--------

Reduction from 35 mm micro-record onto regular office paper
A4 and A3 formats

	CZK 20
--	--------
3. Digital reproduction
 - 3.1. Making Digital reproduction of two dimensional master copy

3.1.1. scanning master copies into A4 format including	CZK 30
3.1.2. scanning master copies into A3 format including	CZK 60
3.1.3. scanning large formats A0+ included	CZK 300
3.1.4. image of master copy of A3 format included, made by a digital camera	CZK 120

3.1.5. image of master copy of larger than A3 made by a digital camera	CZK 300
3.1.6. scanning of archival records onto a transparent pad (e.g.. microfilm, plate) one field scanning from film strip	CZK 20
scanning physically separated film filed	CZK 50
Increasing resolution by each 100 dpi (or part thereof) over 300 dpi	CZK 20
3.2. Making a digital reproduction of a fully dimensional master copy	
3.2.1. 1 recordary small and medium-sized image made by a digital camera	CZK 350
3.2.2. 1 atelier small and medium-sized image made by a digital camera	CZK 1,500
3.3. Providing digital reproductions of a formerly digitalized master copy (1 image)	CZK 25
3.4. Viewing digital reproductions of archival records on-line is free.	
3.5. Data entries	
3.5.1. CD including data entries	CZK 40
3.5.2. DVD including data entries	CZK 60

All newly made digital reproductions shall be provided in colour with a colour depth of 24 bits or more, in basic resolution of 300 dpi, in JPG, PDF/A, TIFF, PNG or RAW formats, without any graphical adjustments.

C.

Approval with One-off Use of Reproductions Made of Archival Records

1.1. Use of reproductions made of archival records for scientific purposes (scientific and professional record registers, collections, independent studies, monographs, editions, exhibition catalogues) and teaching purposes (teaching aids) shall be free.

(Note: in the case of use of reproductions made of archival records for scientific purposes, citation at least in the scope of the name of the archives which hold archival records and of the archival collection containing such archival records, shall be made; without such citation the use of reproductions shall be deemed to be use for commercial purposes).

1.2. Use of reproductions made of archival records for commercial purposes (publications of pictures, picture postcards, calendars, promotion materials and so forth) shall be charged as follows:

1 item (copy) of colour or black and white reproduction:	
number of copies printed - up to 600	CZK 1,500
number of copies printed - over 600	CZK 3,000.

These prices shall also apply to reproductions of archival records made on an applicant's own equipment.

D.

Filming Archival records (with the exception of instructive and cultural-educational programmes)

A basic fee is CZK 700/for each hour or part thereof.

E.

Information Retrievals, Office Work, Service Charges

1.1. Research (finding required information and drawing up a comprehensive report based on information access and excerpts made of relevant archival records, finding aids and other professional sources)

1.1.1. simple research/1 performance hour /based on excerpts of 1 - 2 archival sources CZK 350

1.1.2. demanding research /1 performance hour /based on excerpts of 3 - 5 archival sources CZK 500

1.1.3. complex combined research /1 performance hour / based on excerpts of 6 and more both archival and other than archival sources CZK 600

1.2. Office work

1.2.1. 1 performance hour CZK 60

1.3. Service charges

1.3.1. packing charges - shipments in parcels CZK 30

1.3.2. packing charges - shipments in envelopes up to 1 kilo CZK 20

1.4. Research from electronic databases CZK 150

Postal charges shall be charged according to a valid price list of postal service providers.

F.

Lending Audio, Film or Audiovisual Archival Records

Specialised archives established for the purpose of caring for audio, film and audiovisual archival records shall use the price list only in relation to archival records in the form of hard copies. In all other cases a contractual price shall be negotiated.

Annex 5

Carrying capacity of rooms for storing archival records, temperature, relative humidity of air in rooms for storing archival records and the amount of average annual expenditure per one linear metre of archival records

I.

Carrying capacity of floors in archival depositories shall be minimally

- a) 10 kN.mE-2 when using stable shelves,
- b) 12 kN.mE-2 when using sliding shelves.

II.

The following temperatures and relative humidity of air shall be maintained in rooms for storing archival records:

Recommended relative humidity and temperature for storing archival records and books in libraries

	Temperature [degrees]			Relative humidity [%]			
	min.	max.	accept.	min.	max.	accept.	
	changes			changes			
paper, optimal storage		2	18	+/- 1	30	50	+/- 5
paper, regular use	14	18	+/- 1	30	50	+/- 5	
parchment, leather		2	18	1 deg./h	50	60	3 %/h
photographic film, black and white, ester of cellulose				< 2	+/- 2	15	50
* photographic film, black and white, polyester				< 2	+/- 2	30	50 *
photographic film, colour, ester of cellulose				< 2	+/- 2	15	30 *
photographic film, colour, polyester				< 2	+/- 2	25	30 *
photographic plate, black and white				< 2	20	50	*
photographic plate, colour				< 2	20	50	*
photographic paper, black and white			2	< 20	4/den	30	50 *
photographic paper, colour			< 2	30	50	*	
microfilm, black and white, ester of cellulose				< 21	+/- 2	15	40 *
microfilm, black and white, polyester				< 21	+/- 2	30	40 *
vinyl (gramophone) archival records				< 21		50	
magnetic media (data, audio, video)	17		< 20		20	30	*
optical discs	according to values specified by producers of optical discs						

* to avoid fluctuations

III.

Average annual expenditure per one linear meter of archival records stored as hard copies shall be minimally CZK 1,250; in the case of archival records stored in forms other than hard copies, average annual expenditure of archives shall be higher dependent on the nature and types of archival records (audio, film and audiovisual).

Article II

Should the application for a flat state contribution be filed prior to the effective date of this Degree, the amount of the flat state contribution shall be set out in accordance with currently valid legal regulations.

Article III

Entry into Effect

This Decree shall enter into effect on 1 July 2009.

Minister:

Ing. Martin Pecina, MBA